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REMARKS

Claims 1-42 are pending in this case. In the Office Action, claims 1 and 28-42 were finally rejected; claims 2-25 were objected to, but were deemed to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1 and 37 were deemed allowable if rewritten to overcome the rejections. Claims 26 and 27 were allowed. Applicants sincerely appreciate the Examiner's indication.

The withdrawal of several earlier rejections is sincerely appreciated.

The title has been changed in this amendment to reflect the new title as stated in the Office Action.

Claims 1 and 28-37 and claims 38-42 are rejected under 35 U.S.C. § 112, second paragraph, for use of the term "heterocyclalkyl". That term is now cancelled without prejudice. Withdrawal of the under 35 U.S.C. § 112, second paragraph rejection is, therefore, respectfully requested.

Claims 28-30 and 32-34 continue to remain rejected under § 112, second paragraph, as being indefinite. The use of the phrase "therapeutically effective amount" was objected to. The claims are cancelled in this amendment without prejudice and without conceding non-patentability of such claims. Claims 28-36 and 38-42 are rejected under 35 U.S.C. § 112, first paragraph. It is stated that the specification "does not reasonably provide enablement for treating any human disease." In this amendment, all references and/or claims to treating a disease state are cancelled without prejudice and without conceding non-patentability of such claims. Withdrawal of the rejections is, therefore, respectfully requested.

It is respectfully submitted that the above-stated amendments are being made strictly with a desire to advance this case into allowance and not as an admission of non-patentability of any of the cancelled scope/claims. Applicants are reserving the right to prosecute the withdrawn scope of claims or cancelled claims by way of divisional applications, if they choose to do so.

After this amendment, only the compound claims and the pharmaceutical composition claims remain pending in this case. Applicants respectfully request entry of this Amendment. There being no other rejections pending, Applicants believe that the claims are in allowable condition and such an action is earnestly solicited.

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As stated earlier, Applicants intend to pursue the scope of any cancelled matter from the claims in divisional application(s).

If the Examiner has any questions, the Examiner is invited to contact the undersigned.

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Respectfully submitted,



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